

Local Form 4A

December 2017

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE/BRYSON CITY DIVISION

In re:) Case No. 19-10007
DEBORAH RENEE EDWARDS)
TIN: XXX-XX-1229) Chapter 13
Debtor(s))

AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER DECEMBER 1, 2017

Check if applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.5	Nonstandard provisions	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims.

Check one.

☐ **None.** If "None" is checked, the rest of Part 3.2 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this Plan is checked.

X The Debtor requests that the Court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the Debtor states that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the Court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below. Payments on the secured claims will be disbursed by the Chapter 13 Trustee, the Debtor directly, or as otherwise specified below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this Plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this Plan. Unless otherwise ordered by the Court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the Debtor or the estate until the earlier of:

- (a) Payment of the underlying debt determined under nonbankruptcy law, or
- (b) Discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of Collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate
Ditech Financial PO Box 6172 Rapid City, SD 57709	\$25,000.00	13 Mallard View Drive, Black Mountain, NC 28711	\$2,500	\$0.00	Disbursed by: <input checked="" type="checkbox"/> Trustee <input type="checkbox"/> Debtor <input type="checkbox"/> Other \$250	Till rate 7.25%
					\$2,500	

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the Debtor's proposed Plan as amended, or if you want the Court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

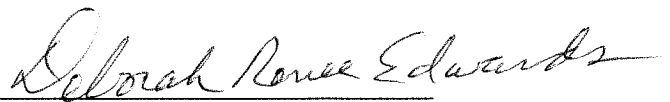
Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 21 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated

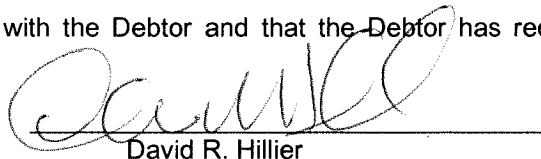
11-19-18



Deborah Renee Edwards

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated



David R. Hillier

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE/BRYSON CITY DIVISIONS

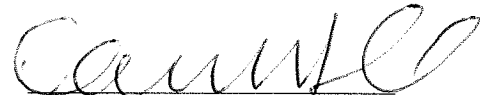
IN RE:)	Case No. 19-10007
)	Chapter 7
DEBORAH RENEE EDWARDS)	
)	CERTIFICATE OF SERVICE
)	
Debtor(s).)	
_____)	

I, David R. Hillier, hereby certify that Amendment to Chapter 13 Plan was mailed on January 14, 2019 to the parties listed on the attached matrix, who, in my opinion, are the proper parties to be served in accordance with the Federal Rules of Bankruptcy Procedure and the Court's Local Bankruptcy Rules.

This the 14th day of January, 2019.

GUM, HILLIER & McCROSKEY, P.A.

BY:



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(828) 258-3368

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BANKRUPTCY UNIT
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RALEIGH NC 27602-1168

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U. S. COURTHOUSE
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ASHEVILLE NC 28801

ACE PAY DOWN LOANS
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SAN ANTONIO TX 78251

ADVANCE AMERICA
2330 E. ANDREW JOHNSON HIGHWAY
GREENVILLE TN 37745

BB&T BANKRUPTCY DEPT
PO BOX 1847
WILSON NC 27894-1947

CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0273

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FROST BANK TOWER
401 CONGRESS AVENUE
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CASH USA
6135 WHITE HORSE ROAD
GREENVILLE SC 29611

CHARTER CABLE
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CARROLLTON TX 75007

COMENITY - TALBOTS
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INTERNAL REVENUE SERVICE
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PHILADELPHIA PA 19101-7346

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ASHEVILLE NC 28803

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WICHITA KS 67278